

Remarks

Applicant thanks the Examiner for the thorough examination of the present invention. The following is in response to said examination.

Claim 21 is rejected under 35 USC 112, second paragraph. This rejection is based on the use of the word "between" without allegedly providing two reference points. Claim 21 has been amended to clarify that the first and second surface are located between the first and second rail. Therefore, Applicant believes the aforementioned rejection is addressed and cured. Applicant respectfully request the rejections be withdrawn. A notice to that effect is respectfully requested.

Claims 21, 25, and 37 are rejected under 35 USC 112, second paragraph. This rejection is based on the use of the word "recessed" without allegedly providing "a frame of reference for which direction this term is referring {recessed from the leading edge or proximal end or recessed in a direction normal to a plane or bottom surface of the slider?}". The Applicant respectfully traverses.

Claim 21 recites in part, a first and second surface, wherein the second surface is recessed below the first surface, further wherein the first and second surface are recessed below an air bearing surface. One skilled in the art is able to ascertain which surface of a slider is an air bearing surface, which establishes the frame of reference. Each recited surface is recessed from the air bearing surface, and further the second surface is recessed from the first surface (i.e. "...wherein the second surface is recessed from the first surface and the first and second surface are recessed from an air bearing surface.") The Office Action assumes that the air bearing does not provide a frame of reference, yet Applicant believes that the air bearing (as a frame of reference) is just as definite as any of the frame or references provided, as examples, in the Office Action (i.e. "...recessed from the leading edge or proximal end or recessed in a direction normal to a plane or bottom surface of the slider..."). In view of the foregoing arguments, Applicant respectfully request this

rejection be withdrawn (as well in regard to claims 25 and 37) and a notice to that effect.

Claims 21-41 are rejected under 35 USC 102(b) as being anticipated by White et al. The Applicant respectfully traverses.

Claim 21 recites (in part), "wherein the second surface is recessed from the first surface and the first and second surface are recessed from an air bearing surface." The Office Action provided addendum B (in Paper No. 10), and asserts that figure 7B shows that claimed feature. Applicant respectfully argues that figure 7B does not disclose limitation recited above. Specifically, figure 7B shows "first surface" 42 and "air bearing surface" 34 as being the exact same height. This is supported by the associated description in White. (See Col. 7, lines 34-37: "...may included one or more bearing faces 42 at a height approximately that of the faces 34...for creating a gas bearing effect.") Because White does not disclose, teach, or suggest each and every limitation in claim 21, there can be no anticipation. A notice to that effect is respectfully requested.

Claim 33 recites (in part), "...wherein the first and second surface are positioned proximate the center of gravity." The Office Action, to support its conclusion of anticipation for this claim, argues that "since all sliders have a center of gravity somewhere near the geometrical center of same [sic] and also since the term "proximate is only an approximate locater, any center of gravity near or close to the geometrical center of White's slider would fulfill the requirements of these instant claims." Although it is conceded that all sliders have a center of gravity, the Office Action still has not provided any guidance as to where White teaches, discloses or suggests the above limitation in claim 33. The Office Action has not identified (via figures and supporting description) where White discloses that in figures 7B or 18 "the first and second surface are positioned proximate the center of gravity" of the slider. Because White does not disclose, teach, or suggest each and every limitation in claim 21, there can be no anticipation. A notice to that effect is respectfully requested.

Claims 22-32 and 34-41 depend from independent claims 21 and 33 and define further features and structure of the device. Accordingly, these claims are patentable for the reasons noted above with respect to claims 21 and 33 as well for the additional features recited therein. Therefore, notice to the effect that dependent claims 22-32 and 34-41 are in a condition for allowance is respectfully requested.

For similar reasons noted above regarding White, the other 4 references listed in the Office Action (Chapin, Dorius, Berg, Harada) do not anticipate claims 21-41.

CONCLUSION

The applicant respectfully submits that all of the pending claims are in condition for allowance in accordance with the requirements set forth in 37 CFR 1.111, and such action is earnestly solicited. The Examiner is invited to telephone the below signed attorney to discuss any questions which may remain with respect to the present application.

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CERTIFICATION UNDER 37 C.F.R. 1.8

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I hereby certify that this Response and the documents referred to as attached therein are being transmitted via facsimile to the U.S. Patent and Trademark Office on the date shown above.

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